

Livia M. Kiser (SBN 285411)
lkiser@sidley.com
Michael C. Andolina (admitted *pro hac vice*)
mandolina@sidley.com
Andrew J. Chinsky (admitted *pro hac vice*)
achinsky@sidley.com
SIDLEY AUSTIN LLP
One South Dearborn
Chicago, IL 60603
Tel: (312) 853-7000
Fax: (312) 853-7036

Eric B. Schwartz (SBN 266554)
eschwartz@sidley.com
SIDLEY AUSTIN LLP
555 West Fifth Street, Suite 4000
Los Angeles, California 90013
Tel: (213) 896-6666
Fax: (213) 896-6600

*Attorneys for Defendant American
Honda Motor Co., Inc.*

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

LINDSEY and JEFF ABERIN, DON
AWTREY, CHARLES BURGESS, DANIEL
CRINER, JARED CROOKS, MARK
GERSTLE, JOHN KELLY, YUN-FEI LOU,
JOY MATZA, JORDAN MOSS, DONALD
TRAN, and MELISSA YEUNG, individually
and on behalf of all others similarly situated.

Plaintiffs,

vs.

AMERICAN HONDA MOTOR CO., INC.,

Defendant.

) Case No. 3:16-cv-04384-JST

) **STIPULATION AND [PROPOSED]**
) **ORDER SETTING TIME TO FILE**
) **AND RESPOND TO THIRD**
) **AMENDED COMPLAINT AND**
) **CONTINUING STATUS**
) **CONFERENCE**

) Hon. Judge Jon S. Tigar

1 Plaintiffs Lindsey and Jeff Aberin, Don Awtrey, Charles Burgess, Daniel Criner, John
 2 Kelly, Yun-Fei Lou, Joy Matza, and Melissa Yeung (“Plaintiffs”), and Defendant American
 3 Honda Motor Co., Inc. (“AHM”), pursuant to this Court’s April 13, 2018 Order (D.E. 144), and
 4 subject to approval by the Court, hereby stipulate as follows:

5 1. Plaintiffs shall file a Third Amended Complaint by April 27, 2018.

6 2. AHM shall respond to the Third Amended Complaint by May 28, 2018, unless
 7 Plaintiffs make material amendments requiring a motion, in which case AHM may request
 8 additional time to respond. AHM’s intention, however, is to respond to the pleading with an
 9 answer and affirmative defenses so long as Plaintiffs amend their pleading solely to create a
 10 clean record of the remaining claims and parties in the lawsuit.

11 WHEREFORE, THE PARTIES HEREBY STIPULATE AND REQUEST that the Court
 12 enter an Order permitting Plaintiffs to file a Third Amended Complaint by April 27, 2018, which
 13 shall not include any dismissed claims or parties, and permitting AHM to answer or otherwise
 14 respond by May 28, 2018. Based on the Court’s case management order entered on April 13,
 15 2018 (D.E. 144), the parties understand that by submitting this Stipulation, the Status Conference
 16 currently scheduled for April 18, 2018 will be continued until July 18, 2018 at 2:00 p.m., with an
 17 updated case management statement due on July 9, 2018.

18
 19 DATED: April 16, 2018

Respectfully Submitted,

20 *Attorneys for Defendant American Honda*
 21 *Motor Company, Inc.*

Interim Co-Lead Class Counsel

22 SIDLEY AUSTIN LLP

SEEGER WEISS LLP

23 By /s/ Livia M. Kiser
 24 Livia M. Kiser (SBN 285411)
 lkiser@sidley.com
 25 Michael C. Andolina (*pro hac vice*)
 mandolina@sidley.com
 26 Andrew J. Chinsky (*pro hac vice*)
 achinsky@sidley.com
 27 SIDLEY AUSTIN LLP
 One South Dearborn
 28 Chicago, IL 60603

By /s/ Christopher A. Seeger
 Christopher A. Seeger (*pro hac vice*)
 SEEGER WEISS LLP
 77 Water Street, New York,
 New York, NY 10005
 Telephone: (212) 584-0700
 Facsimile: (212) 584-0799
 Email: cseeger@seegerweiss.com
 Email: sweiss@seegerweiss.com
 Email: sgeorge@seegerweiss.co

1 Tel: (312) 853-7000
Fax: (312) 853-7036

2 Eric B. Schwartz (SBN 266554)
3 eschwartz@sidley.com
SIDLEY AUSTIN LLP
4 555 West Fifth Street, Suite 4000
Los Angeles, California 90013
5 Tel: (213) 896-6666
Fax: (213) 896-6600
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

James E. Cecchi (*pro hac vice*)
CARELLA, BYRNE, CECCHI, OLSTEIN,
BRODY & AGNELLO, P.C.
5 Becker Farm Road
Roseland, NJ 07068
Telephone: (973) 994-1700
Facsimile: (973) 994-1744
Email: jcecchi@carellabyrne.com

[PROPOSED] ORDER

IT IS ORDERED that Plaintiffs shall file a Third Amended Complaint by April 27, 2108, which shall not include any dismissed claims or parties, and AHM shall answer or otherwise respond to the Third Amended Complaint by May 28, 2018.

IT IS FURTHER ORDERED that the status conference currently scheduled for April 18, 2018 is continued to July 18, 2018 at 2:00 p.m. An updated case management statement shall be filed by July 9, 2018.

DATED: _____

HON JON S. TIGAR
UNITED STATES DISTRICT JUDGE

SIGNATURE ATTESTATION

I am the ECF User whose identification and password are being used to file the foregoing Stipulation. In compliance with Civil Local Rule 5.1, I hereby attest that the signatory has concurred in this filing.

Dated: April 16, 2018

By: /s/ Livia M. Kiser

Livia M. Kiser